



STATE OF NEW YORK  
OFFICE OF THE ATTORNEY GENERAL

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LITIGATION BUREAU

October 15, 2021

**BY ECF**

Honorable Rachel P. Kovner  
United States District Judge  
United States District Court for the  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: *Rives v. SUNY Downstate College of Medicine, et al.*;  
Case No. 20-cv-621 (RPK) (LB)

Dear Judge Kovner:

This Office represents Defendants in the above-referenced matter. I write to request the Court's permission to submit a reply memorandum of law of not more than 15 pages in further support of Defendants' motion to dismiss Plaintiff's Second Amended Complaint ("SAC"). Defendants' reply brief is due on October 21, 2021.

Defendants request these five additional pages in order to address properly Plaintiff's opposition to Defendants' motion to dismiss the SAC, which contains 243 paragraphs and asserts at least fifteen separate claims against twelve different defendants. Due to the length and breadth of the SAC, Defendants previously requested -- with Plaintiff's consent -- permission to submit a moving memorandum of not more than 30 pages in support of their motion, which motion the Court granted in its July 22, 2021 Order.

I have conferred with Plaintiff, who has informed me that he consents to the relief sought on this motion. I thank the Court for its attention to this matter.

Respectfully submitted,

/s/ Mark E. Klein  
Mark E. Klein  
Assistant Attorney General  
(212) 416-8663

cc: Jan-Michael Rives (by electronic mail)